

Florence, New Jersey 08518-2323  
March 24, 2015

The regular meeting of the Florence Township Planning Board was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Chairperson Hamilton-Wood called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Chairperson Hamilton-Wood then read the following statement: "I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided and posted in the main hall of the Municipal Complex."

Upon roll call the following members were found to be present:

William Federico	Mildred Hamilton-Wood
Tim Lutz	Council Representative Ted Lovenduski
Wayne Morris	Mayor Craig Wilkie
James Molimock	Raymond Montgomery

ALSO PRESENT: Solicitor David Frank  
Engineer Hugh Dougherty  
Planner Barbara Fegley  
Conflict Engineer Gregory Valesi

ABSENT: Thomas McCue

## RESOLUTIONS

## MINUTES

Mayor Wilkie wanted a correction to the minutes of the regular meeting of February 5, 2015 to reflect that Chairperson Hamilton-Wood left the meeting prior to the closed session. He would like the Closed Session minutes from the same night to note she was not present.

It was the Motion of Wilkie, seconded by Lutz, to approve as amended the minutes from the regular session of February 5, 2015 and the closed session of February 5, 2015. All ayes.

## CORRESPONDENCE

## APPLICATIONS

- A. Application PB#2015-02 for Florence Retail, LLC. Applicant is requesting Minor Site Plan with bulk variances to convert vacant former party store/equipment rental to Dollar Tree retail store on property located at 2087 US Route 130, Block 99.01,

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Lots 20 & 29.

Jason Tuvel, attorney for the applicant, said he believed the application was complete. He reviewed the engineer's letter and thought the engineer recommended completeness with respect to the waivers that were requested. He asked for it to be deemed complete so the application could proceed.

Engineer Dougherty said he reviewed the application and provided a report dated March 19, 2015. There were three completeness issues that the applicant was requesting waivers for. They were for an Environmental Impact Statement, the submittal of the utility layout and the requirement for a drainage area map and calculations. Because this is an existing site, there are no wetlands; it is all developed. The utilities are already there. There will be some internal building changes but basically the utilities are existing and the drainage is current as well. He recommended no objections to the waivers for completeness.

Chairperson Hamilton-Wood asked if there was reason for concern regarding drainage on the site. Engineer Dougherty said he reviewed the site plan and there is some drainage that goes out onto Route 130 but overall there are two public roads that abut the site and the drainage is flow that goes over the two roadways.

It was the Motion of Lutz, seconded by Morris to deem the application complete.

Upon roll call the Board voted as follows:

AYES: Federico, Hamilton-Wood, Lutz, Molimock, Morris, Lovenduski, Wilkie

NOES: None

ABSENT: McCue

Attorney Tuvel said the property is located in the Highway/Commercial district. The purpose of that district is to promote commercial development on Route 130. The property has been vacant for about a year. It was previously a party supply store. The building needs some work and the signage needs to be cleaned up.

There are several existing non-conforming conditions but the project will not exacerbate any of them. The property will be brought into conformity regarding parking. There will be a nice circulation pattern on the property.

About Dollar Tree, Attorney Tuvel said they are a neighborhood retail store. They sell household products, beauty supplies, school and office supplies, toys and crafts and party supplies. The site is unique in the sense that the entrance to the property is located on the parking lot not facing Route 130. That is part of the reason for the signage being requested.

The applicant plans to restripe and reseal the parking area. That is the extent of the site improvements, in addition to the signage and changes to the building itself. There are three variances being requested. One variance is to add one extra building sign to the

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property. There is currently signage over the entrance in the parking area. The applicant would like to keep a sign in that area and also place a sign on the building facing Route 130. It would be consistent with the Rite Aid. There is one pylon sign with two panels. The bottom panel would be removed and the top panel would be used for the Dollar Tree store. The applicant also needs a variance in connection with the square footage and the vertical dimensions of the sign. This is necessitated by the fact that the Dollar Tree logo is stacked, the letters run vertically. It should be noted that the size of the letters is only an increase of about two square feet over what the ordinance allows.

The store will have two to three employees per shift with a total of about 15 employees. The store will be open from 9:00am to 9:00pm Monday through Saturday and 9:00am to 7:00pm on Sunday. The deliveries will take place three to four times a week and the will take place when the building is closed. Trash and recycling will be once a week. There are no food products so there is not a lot of waste that accumulates. There will be no shopping carts in the parking lot. The carts will have a pole that will prevent them from being removed from the store.

Attorney Tuvel said the professional's reports were reviewed and there were no issues with any of the comments provided. He said he only had one witness for this evening, Harry Tuvel of Tuvel Civil Engineering. He is a Site Engineer and Professional Planner. Nick Rasler, the Dollar Tree District Manager was also in attendance in case there were any operational questions.

Solicitor Frank swore in Mr. Tuvel. Mr. Tuvel said he holds a Masters and Bachelors of Science Degrees in Civil Engineering from the New Jersey Institute of Technology. He has been a licensed engineer since 1981. He is a licensed professional planner and in the state of New Jersey he's appeared before numerous boards. He was accepted as a qualified witness.

Attorney Tuvel asked Mr. Tuvel to review what is proposed regarding site improvements, noting that the applicant is leaving the building "as is" in terms of its configuration and orientation. Mr. Tuvel referred to a drawing dated March 3 with the latest revision of March 19. It is an existing 11,885 sq. ft. building. The building will be left as is. The interior will be the store and the northern end will have an inventory area that will not be part of selling floor. This will reduce the actual square footage of the store. The parking was based on the entire square footage. Under the Township ordinance the store would require 60 parking spaces that have been provided. There are 62 spaces with 56 directly in the front of the store. The front of the store faces east. The other six spaces are on the lot to the rear.

There are two lots in the application. The first is Lot 20, the large lot with the existing store, and Lot 29. There will be six spaces for employees located on the rear portion of the lot. Attorney Tuvel noted there is a fence around the perimeter of the property. Mr. Tuvel said there is a fence around the perimeter and a fence that bisects the parking lot. The fence in the parking area will be removed.

Attorney Tuvel asked about the traffic flow of the parking lot. Mr. Tuvel said the plan originally called for double stacked parking spaces with a dead end at the end of the aisle. The Board Professionals requested some spots be removed so cars could circulate around the area. Mr. Tuvel said the suggestion was implemented.

Attorney Tuvel asked how the pathway on the Route 130 side will connect to the sidewalk that runs in front of Rite Aid. Mr. Tuvel said there is a small grass berm along the entire frontage of the property. The intent is for that to remain. There is asphalt behind it that will be striped and continue along the frontage of the building and will transition and meet the Rite Aid sidewalk. The Rite Aid sidewalk is in the right-of-way, it is not on their property. There is a right angle transition area going from the proposed site to the Rite Aid property. Anyone walking along Route 130 can access both stores easily.

Attorney Tuvel inquired about planters that are in front of the building. Mr. Tuvel indicated where they are located on the rendering. He said there are four and they will remain. Attorney Tuvel said the applicant will plant those with shrubbery to enhance the Route 130 frontage.

Attorney Tuvel said a use variance was issued for this property previously for outdoor storage for the party supply store. The applicant will not be having any outdoor storage in the parking lot in connection with the Dollar Tree store, everything will be confined within the store.

He directed the Board's attention to the elevations. The first variance needed would be to have more than one wall sign. Mr. Tuvel said he would like to have one sign on the front elevation and one on the Route 130 elevation. Attorney Tuvel inquired about the C-2 criteria under Municipal Land Use Law. Mr. Tuvel thinks the signage is consistent with a development of this type and the size of the signage is proportional to the size of the building. He feels from a safety and visibility consideration, the people travelling on Route 130 need to have some advanced notice that they are approaching the store. In addition to that there will be a free standing sign that is existing but would be modified. There are two sign boxes there right now, the applicant only wants one. He thinks the applicant's signage will be a vast improvement to what is there now.

Attorney Tuvel inquired about positive criteria, promoting general welfare and public safety and assisting in the free flow of traffic. Mr. Tuvel thinks the application meets those criteria and said under the negative criteria there is no substantial detriment to the zone plan. There is also no detriment to any surrounding properties because of the signage. He compared the plan to what the Rite Aid has next door.

Attorney Tuvel said it is a very straight forward application and it is simply refitting the building. He asked if there were any questions. Member Morris asked if all four sides of the building would be refaced. Attorney Tuvel said the entire building will be resurfaced. It will be in conformance with Dollar Tree standards. Member Lutz asked about the lighting of the sign that would be facing Rite Aid. Attorney Tuvel said he spoke to a

Dollar Tree representative and there are two options. Some stores leave the sign lit all night and some stores turn them off an hour after the store closes. Member Lutz said his concern is the store is a little further down the road than the Rite Aid and there could be some impact on the houses on Wallace Avenue. He would prefer the lights be shut off an hour after. All were in agreement. Attorney Tuvel said the store closes and the employees remain for a half hour. He agreed the lights can be shut off at 10:00 p.m. The security lighting will need to remain on.

Chairperson Hamilton-Wood asked if the deliveries were going to be made in the overnight hours. Attorney Tuvel said the deliveries would be made between 5:00 a.m. and 6:00 a.m. The deliveries would be completed before the store opens. Chairperson Hamilton-Wood inquired about buffers besides the fence. Mr. Tuvel said there would be some plantings at the northern part of the lot. Mayor Wilkie said the Shade Tree Commission did a review of the application. The site is limited as far as being able to provide plantings. Attorney Tuvel noted the applicant is complying with parking requirements.

Member Federico asked if the trash and recycling enclosure will be gravel. Attorney Tuvel confirmed that it will remain gravel. Member Federico was worried about trash trucks creating ruts and puddles. Planner Dougherty said his impression was that it was very hard packed gravel. Mr. Tuvel said the applicant did not want to add to the impervious coverage of the site. Member Federico asked if the employee parking lot would be marked as such. Mr. Tuvel said it was not. Engineer Dougherty said part of his review required that stone areas be filled where there is rutting and any pavement that needs to be fixed must be repaired. The applicant agreed to comply with all of the review comments. The applicant agreed to post employee parking signs. Chairperson Hamilton-Wood said those spots would be desirable for people to avoid Route 130 and exit to Station Road to get into town. She agreed that marking the area for employee parking solve that problem. The applicant was in agreement.

Member Morris said the drawings only showed the façade near the parking. He asked if all four sides were going to be improved. Attorney Tuvel said all four sides will be improved.

Planner Fegley said there were some design waivers she noted in her review. The first is using concrete instead of asphalt and striping it instead of covering the only grass on the site with a new sidewalk. Also local ordinance requires one tree for every parking space. The site doesn't really allow for that, but the applicant agreed to maintain the planters. He agreed to work with the planner regarding the planters. Planner Fegley said the drive aisle is supposed to be 25' in width but the plan shows 24', which is adequate.

Engineer Hughes said the Township requires the loading area to function without the need to move vehicles. The testimony is that the deliveries will be after hours so it was not an issue. Chairperson Hamilton-Wood requested No Parking Overnight signs. The applicant agreed to the signage.

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Motion by Lutz, seconded by Federico to open to the public regarding ApplicationPB#2015-02. All ayes.

Frederick Scheetz, 12 Church Street, wanted to know if curbing would be installed. Mr. Tuvel said there aren't any major changes planned. The parking lot will be restriped and areas that need to be repaired will be taken care of.

Seeing no one else wishing to be heard, it was the Motion of Lutz, seconded by Federico to close the public hearing. All ayes.

Solicitor Frank said there is a minor site plan with three variances. Conditions of approval are that deliveries to the store made after hours, the deliveries will be no earlier than 5:00 a.m. or 6:00 a.m. There would be signs for employee parking, the sign will be turned off one hour after closing, the applicant will work with the Board Planner to determine appropriate plantings for the planters and there will be No Overnight Parking signs. All other regular conditions also exist. The applicant was also agreeable to all the comments of the board professionals' reports. Chairperson Hamilton-Wood would like a stipulation that there can't be any deliveries before 6:00 a.m. The applicant agreed.

It was the Motion of Lutz, seconded by Lovenduski to approve ApplicationPB#2015-02.

Upon roll call the Board voted as follows:

AYES: Federico, Hamilton-Wood, Lutz, Molimock, Morris, Lovenduski, Wilkie  
NOES: None  
ABSENT: McCue

B. Application PB#2015-01 for Liberty Venture I, LLC. Applicant is requesting Preliminary and Final Major Site Plan for a warehouse distribution facility on property located at 500 Cedar Lane, Florence. Block 155.47, Lot 12.02.  
David M. Roskos, Esquire

Chairperson Hamilton-Wood asked if this was for completeness only. Solicitor Frank confirmed there would not be a hearing this evening. Chairperson Hamilton-Wood announced that the Board was only making sure the paperwork was properly submitted. The Board was not going to be hearing the actual application or making any decisions on approval.

Members Lutz and Federico recused themselves at this time on the advice of Solicitor Frank.

Engineer Dougherty recused himself due to a conflict. Conflict Engineer Gregory Valesi came forward at this time.

David Roskos, representing the applicant, said he had with him Liberty Venture I, LLC Executive Vice President Mark Goldstein and Engineer Thomas Bechard. Mr. Roskos

said it is correct that the applicant was not pursuing its preliminary site plan this evening. Notice was provided for preliminary site plan application but after the professional's comments it was decided to address the comments and make the plans more fully compliant and come back at the April meeting. At that time the applicant plans to seek both preliminary and final approval. Mr. Roskos said the applicant will re-notice. He spoke to those in attendance before the meeting regarding the application and he provided renderings of the project. He said the applicant would remain available for questions if members of the public had any.

Regarding completeness, Mr. Roskos said the Board Engineer recommended the application be deemed complete. There were only three items that needed to be discussed. He wanted the Board to understand that what is being proposed is a spec building. There is not an end user so to a certain extent there are details the applicant can't provide such as hours of operation. The applicant will provide a narrative describing the maximum number of employees so the board will have an idea of full development at a maximum level. The actual use could be much less.

Mr. Roskos said there was a question about the locations of some of the utilities. In some instances it is the utility company that decides locations. The applicant will comply with the redevelopment plan fully. There won't be placement of utilities or any waste disposal that is not in compliance with the redevelopment plan.

There was also a request for an executed Water & Sewer Agreement. The applicant needs an end user. Once there is one, an agreement will be put into place. There is adequate water & sewer service to the site. The agreement needs to await the arrival of the tenant and the agreement would be provided before the applicant sought a Certificate of Occupancy for any building.

Mr. Roskos said he believed the applicant had completeness. Engineer Valesi said he concurred the application was complete. There were no questions from the Board.

It was the Motion of Mayor Wilkie, seconded by Member Molimock to deem the application complete.

Upon roll call the Board voted as follows:

AYES: Hamilton-Wood, Molimock, Morris, Lovenduski, Wilkie, Montgomery

NOES: None

ABSENT: None

RECUSED: Federico, Lutz

Mr. Roskos said he had with him some booklets that were renderings of the project. Because the project is essentially one proposal with two additional options, the renderings would help everyone understand the project in advance of the April hearing. The plans are large but the renderings should help someone reviewing the application to understand it. He provided copies to keep on file with the application to be available to the public for review.

Mr. Goldstein was sworn in by Solicitor Frank. He wanted to reiterate what Mr. Roskos said, which is that they expect there will be one building with a trailer area but they decided they were looking to maximize the opportunity to bring in a Class A tenant. The only difference is that there is one big rectangle for the building with a smaller rectangle. The only difference is what will be done with the small rectangle. One option is that a tenant might need trailer parking. Another option is a tenant that needs parking for many employees. If neither is the case there would be another small building.

#### PUBLIC COMMENTS

It was the Motion of Lovenduski, seconded by Montgomery to open the meeting to the public. Seeing no one wishing to be heard it was the Motion of Lovenduski, seconded by Morris to close the public portion. All ayes.

It was the Motion of Montgomery, seconded by Morris to adjourn at 8:17 p.m.

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Wayne Morris, Secretary

WM/ak